

**E2SHB 2782 - S AMD 457**

By Senators Hargrove, Stevens

ADOPTED 03/22/2010

1       Strike everything after the enacting clause and insert the  
2 following:

3       "NEW SECTION. **Sec. 1.** INTENT. (1) The legislature finds that:

4       (a) Low-income families and individuals often face significant  
5 barriers to receiving the services and benefits that they are qualified  
6 to receive. These services are essential to meeting individuals' basic  
7 needs, and provide critical support to low-income individuals who are  
8 working or who have disabilities that prevent them from working;

9       (b) Each year millions of federal dollars go unclaimed due to  
10 underutilization of benefits such as tax credits, health care coverage,  
11 and food support;

12       (c) State agencies have been engaged in an effort to implement an  
13 online benefit portal to simplify and streamline access to state,  
14 federal, and local benefits that include a broad array of public  
15 benefits;

16       (d) Access to education and training gives low-income individuals  
17 and families the opportunity to acquire the skills they need to become  
18 successfully employed and attain self-sufficiency; and

19       (e) Agencies have been engaged in efforts to increase access to  
20 training and education for recipients of federal food assistance.

21       (2) The legislature therefore intends to strengthen existing  
22 efforts by providing enhanced structure and direction to ensure that a  
23 strong partnership among colleges, state agencies, community partners,  
24 and philanthropy be established. The legislature also intends to  
25 provide an efficient, effective, integrated approach to the delivery of  
26 basic support services and education and training programs. The  
27 integrated approach should include the creation of a one-stop-shop,  
28 online benefits portal where individuals can apply for a broad array of  
29 services, including public benefits and education and training support,  
30 and the expansion of the food stamp employment and training program.

1 (3) The legislature further finds that:

2 (a) The general assistance program can be reformed to better  
3 support the ability of persons who are unable to work due to physical  
4 or mental health impairments to either return to work, or transition to  
5 federal supplemental security income benefits; and

6 (b) Persons who are homeless and suffering from mental illness or  
7 chemical dependency are particularly vulnerable, because homelessness  
8 is a substantial barrier to successful participation in, and completion  
9 of, needed treatment services.

10 (4) Through the reforms included in this act, the legislature  
11 intends to end the general assistance program and establish the  
12 disability lifeline program, and to implement multiple strategies  
13 designed to improve the employment and basic support outcomes of  
14 persons receiving disability lifeline benefits. The legislature  
15 further intends to focus services on persons who are homeless and have  
16 a mental illness or chemical dependency by providing housing vouchers  
17 as an alternative to a cash grant so that these persons can be in  
18 stable housing and thus have a greater opportunity to succeed in  
19 treatment.

20 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.04 RCW  
21 to read as follows:

22 OPPORTUNITY PORTAL. (1) An online opportunity portal shall be  
23 established to provide the public with more effective access to  
24 available state, federal, and local services. The secretary of the  
25 department of social and health services shall act as the executive  
26 branch sponsor of the portal planning process. Under the leadership of  
27 the secretary, the department shall:

28 (a) Identify and select an appropriate solution and acquisition  
29 approach to integrate technology systems to create a user-friendly  
30 electronic tool for Washington residents to apply for benefits;

31 (b) Facilitate the adaptation of state information technology  
32 systems to allow applications generated through the opportunity portal  
33 and other compatible electronic application systems to seamlessly link  
34 to appropriate state information systems;

35 (c) Ensure that the portal provides access to a broad array of  
36 state, federal, and local services, including but not limited to:  
37 Health care services, higher education financial aid, tax credits,

1 civic engagement, nutrition assistance, energy assistance, family  
2 support, and disability lifeline benefits as defined in sections 4  
3 through 13 of this act;

4 (d) Design an implementation strategy for the portal that maximizes  
5 collaboration with community-based organizations to facilitate its use  
6 by low-income individuals and families;

7 (e) Provide access to the portal at a wide array of locations  
8 including but not limited to: Community or technical colleges,  
9 community college campuses where community service offices are  
10 colocated, community-based organizations, libraries, churches, food  
11 banks, state agencies, early childhood education sites, and labor  
12 unions;

13 (f) Ensure project resources maximize available federal and private  
14 funds for development and initial operation of the opportunity portal.  
15 Any incidental costs to state agencies shall be derived from existing  
16 resources. This subsection does not obligate or preclude the  
17 appropriation of future state funding for the opportunity portal;

18 (g) Determine the solution and acquisition approach by June 1,  
19 2010.

20 (2) By December 1, 2011, and annually thereafter, the department of  
21 social and health services shall report to the legislature and  
22 governor. The report shall include data and information on  
23 implementation and outcomes of the opportunity portal, including any  
24 increases in the use of public benefits and increases in federal  
25 funding.

26 (3) The department shall develop a plan for implementing paperless  
27 application processes for the services included in the opportunity  
28 portal for which the electronic exchange of application information is  
29 possible. The plan should include a goal of achieving, to the extent  
30 possible, the transition of these services to paperless application  
31 processes by July 1, 2012. The plan must comply with federal statutes  
32 and regulations and must allow applicants to submit applications by  
33 alternative means to ensure that access to benefits will not be  
34 restricted.

35 (4) To the extent that the department enters into a contractual  
36 relationship to accomplish the purposes of this section, such contract  
37 or contracts shall be performance-based.

1        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 74.04 RCW  
2    to read as follows:

3        BASIC FOOD EMPLOYMENT AND TRAINING PROGRAM.    (1) The department,  
4    the employment security department, and the state board for community  
5    and technical colleges shall work in partnership to expand the food  
6    stamp employment and training program.    Subject to federal approval,  
7    the program shall be expanded to three additional community colleges or  
8    other community-based locations in 2010 and shall expand capacity at  
9    participating colleges.    To the greatest extent possible, expansion  
10   shall be geographically diverse.    The agencies shall:

11        (a) Identify and seek out partnerships with community-based  
12   organizations that can provide support services and case management to  
13   participants through performance-based contracts in the food stamp  
14   employment and training program, and do not replace the positions or  
15   work of department employees;

16        (b) Identify eligible nonfederal matching funds to draw down the  
17   federal match for food stamp employment and training services.  
18   Matching funds may include:    Local funds, foundation grants, employer-  
19   paid costs, and the state allocation to community and technical  
20   colleges.

21        (2) Employment and training funds may be allocated for:  
22   Educational programs to develop skills for employability, vocational  
23   education, English as a second language courses, adult basic education,  
24   GED courses, remedial programs, job readiness training, case  
25   management, intake, assessment, evaluation, and barrier removal and  
26   support services such as tuition, books, child care, transportation,  
27   housing, and counseling services.

28        (3) The department shall annually track and report outcomes  
29   including those achieved through performance-based contracts as  
30   follows:    Federal funding received, the number of participants served,  
31   achievement points, the number of participants who enter employment  
32   during or after participation in the food stamp employment and training  
33   program, and the average wage of jobs attained.    The report shall be  
34   submitted to the governor and appropriate committees of the legislature  
35   on November 1st of each year, beginning in 2010.

36        (4) For purposes of this section, "food stamp employment and  
37   training program" refers to a program established and administered

1 through the employment security department and the department of social  
2 and health services.

3 **Sec. 4.** RCW 74.04.005 and 2003 1st sp.s. c 10 s 1 are each amended  
4 to read as follows:

5 For the purposes of this title, unless the context indicates  
6 otherwise, the following definitions shall apply:

7 (1) "Public assistance" or "assistance"--Public aid to persons in  
8 need thereof for any cause, including services, medical care,  
9 assistance grants, disbursing orders, work relief, (~~general~~  
10 ~~assistance~~) disability lifeline benefits and federal aid assistance.

11 (2) "Department"--The department of social and health services.

12 (3) "County or local office"--The administrative office for one or  
13 more counties or designated service areas.

14 (4) "Director" or "secretary" means the secretary of social and  
15 health services.

16 (5) "Disability lifeline program" means a program that provides aid  
17 and support in accordance with the conditions set out in this  
18 subsection.

19 (a) Aid and assistance shall be provided to persons who are not  
20 eligible to receive federal aid assistance, other than basic food  
21 benefits transferred electronically and medical assistance and meet one  
22 of the following conditions:

23 (i) Are pregnant and in need, based upon the current income and  
24 resource requirements of the federal temporary assistance for needy  
25 families program; or

26 (ii) Are incapacitated from gainful employment by reason of bodily  
27 or mental infirmity that will likely continue for a minimum of ninety  
28 days as determined by the department. The standard for incapacity in  
29 this subsection, as evidenced by the ninety-day duration standard, is  
30 not intended to be as stringent as federal supplemental security income  
31 disability standards; and

32 (A) Are citizens or aliens lawfully admitted for permanent  
33 residence or otherwise residing in the United States under color of  
34 law;

35 (B) Have furnished the department their social security number. If  
36 the social security number cannot be furnished because it has not been

1 issued or is not known, an application for a number shall be made prior  
2 to authorization of benefits, and the social security number shall be  
3 provided to the department upon receipt;

4 (C) Have not refused or failed without good cause to participate in  
5 drug or alcohol treatment if an assessment by a certified chemical  
6 dependency counselor indicates a need for such treatment. Good cause  
7 must be found to exist when a person's physical or mental condition, as  
8 determined by the department, prevents the person from participating in  
9 drug or alcohol dependency treatment, when needed outpatient drug or  
10 alcohol treatment is not available to the person in the county of his  
11 or her residence or when needed inpatient treatment is not available in  
12 a location that is reasonably accessible for the person; and

13 (D) Have not refused or failed without good cause to participate in  
14 vocational rehabilitation services, if an assessment conducted under  
15 section 5 of this act indicates that the person might benefit from such  
16 services. Good cause must be found to exist when a person's physical  
17 or mental condition, as determined by the department, prevents the  
18 person from participating in vocational rehabilitation services, or  
19 when vocational rehabilitation services are not available to the person  
20 in the county of his or her residence.

21 (b)(i) Persons who initially apply and are found eligible for  
22 disability lifeline benefits based upon incapacity from gainful  
23 employment under (a) of this subsection on or after September 2, 2010,  
24 who are homeless and have been assessed as needing chemical dependency  
25 or mental health treatment or both, must agree, as a condition of  
26 eligibility for the disability lifeline program, to accept a housing  
27 voucher in lieu of a cash grant if a voucher is available. The  
28 department shall establish the dollar value of the housing voucher.  
29 The dollar value of the housing voucher may differ from the value of  
30 the cash grant. Persons receiving a housing voucher under this  
31 subsection also shall receive a cash stipend of fifty dollars per  
32 month.

33 (ii) If the department of commerce has determined under section 8  
34 of this act that sufficient housing is not available, persons described  
35 in this subsection who apply for disability lifeline benefits during  
36 the time period that housing is not available shall receive a cash  
37 grant in lieu of a cash stipend and housing voucher.

1 (iii) Persons who refuse to accept a housing voucher under this  
2 subsection but otherwise meet the eligibility requirements of (a) of  
3 this subsection are eligible for medical care services benefits under  
4 RCW 74.09.035, subject to the time limits in (h) of this subsection.

5 (c) The following persons are not eligible for the disability  
6 lifeline program:

7 (i) Persons who are unemployable due primarily to alcohol or drug  
8 addiction. These persons shall be referred to appropriate assessment,  
9 treatment, shelter, or supplemental security income referral services  
10 as authorized under chapter 74.50 RCW. Referrals shall be made at the  
11 time of application or at the time of eligibility review. This  
12 subsection shall not be construed to prohibit the department from  
13 granting disability lifeline benefits to alcoholics and drug addicts  
14 who are incapacitated due to other physical or mental conditions that  
15 meet the eligibility criteria for the disability lifeline program;

16 (ii) Persons who refuse or fail to cooperate in obtaining federal  
17 aid assistance, without good cause.

18 (d) Disability lifeline benefits shall be provided only to persons  
19 who are not members of assistance units receiving federal aid  
20 assistance, except as provided in (a) of this subsection, and who will  
21 accept available services that can reasonably be expected to enable the  
22 person to work or reduce the need for assistance unless there is good  
23 cause to refuse. Failure to accept such services shall result in  
24 termination until the person agrees to cooperate in accepting such  
25 services and subject to the following maximum periods of ineligibility  
26 after reapplication:

27 (i) First failure: One week;

28 (ii) Second failure within six months: One month;

29 (iii) Third and subsequent failure within one year: Two months.

30 (e) Persons who are likely eligible for federal supplemental  
31 security income benefits shall be moved into the disability lifeline  
32 expedited component of the disability lifeline program. Persons placed  
33 in the expedited component of the program may, if otherwise eligible,  
34 receive disability lifeline benefits pending application for federal  
35 supplemental security income benefits. The monetary value of any  
36 disability lifeline benefit that is subsequently duplicated by the  
37 person's receipt of supplemental security income for the same period

1 shall be considered a debt due the state and shall by operation of law  
2 be subject to recovery through all available legal remedies.

3 (f) For purposes of determining whether a person is incapacitated  
4 from gainful employment under (a) of this subsection:

5 (i) The department shall adopt by rule medical criteria for  
6 disability lifeline incapacity determinations to ensure that  
7 eligibility decisions are consistent with statutory requirements and  
8 are based on clear, objective medical information; and

9 (ii) The process implementing the medical criteria shall involve  
10 consideration of opinions of the treating or consulting physicians or  
11 health care professionals regarding incapacity, and any eligibility  
12 decision which rejects uncontroverted medical opinion must set forth  
13 clear and convincing reasons for doing so.

14 (g) Persons receiving disability lifeline benefits based upon a  
15 finding of incapacity from gainful employment who remain otherwise  
16 eligible shall have their benefits discontinued unless the recipient  
17 demonstrates no material improvement in their medical or mental health  
18 condition. The department may discontinue benefits when there was  
19 specific error in the prior determination that found the person  
20 eligible by reason of incapacitation.

21 (h)(i) Beginning September 1, 2010, no person who is currently  
22 receiving or becomes eligible for disability lifeline program benefits  
23 shall be eligible to receive benefits under the program for more than  
24 twenty-four months in a sixty-month period. For purposes of this  
25 subsection, months of receipt of general assistance-unemployable  
26 benefits count toward the twenty-four month limit. Months during which  
27 a person received benefits under the expedited component of the  
28 disability lifeline or general assistance program or under the aged,  
29 blind, or disabled component of the disability lifeline or general  
30 assistance program shall not be included when determining whether a  
31 person has been receiving benefits for more than twenty-four months.  
32 On or before July 1, 2010, the department must review the cases of all  
33 persons who have received disability lifeline benefits or general  
34 assistance unemployable benefits for at least twenty months as of that  
35 date. On or before September 1, 2010, the department must review the  
36 cases of all remaining persons who have received disability lifeline  
37 benefits for at least twelve months as of that date. The review should  
38 determine whether the person meets the federal supplemental security



1 income disability standard and, if the person does not meet that  
2 standard, whether the receipt of additional services could lead to  
3 employability. If a need for additional services is identified, the  
4 department shall provide case management services, such as assistance  
5 with arranging transportation or locating stable housing, that will  
6 facilitate the person's access to needed services. A person may not be  
7 determined ineligible due to exceeding the time limit unless he or she  
8 has received a case review under this subsection finding that the  
9 person does not meet the federal supplemental security income  
10 disability standard.

11 (ii) The time limits established under this subsection expire June  
12 30, 2013.

13 (i) No person may be considered an eligible individual for  
14 disability lifeline benefits with respect to any month if during that  
15 month the person:

16 (i) Is fleeing to avoid prosecution of, or to avoid custody or  
17 confinement for conviction of, a felony, or an attempt to commit a  
18 felony, under the laws of the state of Washington or the place from  
19 which the person flees; or

20 (ii) Is violating a condition of probation, community supervision,  
21 or parole imposed under federal or state law for a felony or gross  
22 misdemeanor conviction.

23 (6) "Disability lifeline expedited" means a component of the  
24 disability lifeline program under which persons receiving disability  
25 lifeline benefits have been determined, after examination by an  
26 appropriate health care provider, to be likely to be eligible for  
27 federal supplemental security income benefits based on medical and  
28 behavioral health evidence that meets the disability standards used for  
29 the federal supplemental security income program.

30 (7) "Federal aid assistance"--The specific categories of assistance  
31 for which provision is made in any federal law existing or hereafter  
32 passed by which payments are made from the federal government to the  
33 state in aid or in respect to payment by the state for public  
34 assistance rendered to any category of needy persons for which  
35 provision for federal funds or aid may from time to time be made, or a  
36 federally administered needs-based program.

37 ~~((6)(a) "General assistance"--Aid to persons in need who:~~

1       ~~(i) Are not eligible to receive federal aid assistance, other than~~  
2 ~~food stamps or food stamp benefits transferred electronically and~~  
3 ~~medical assistance; however, an individual who refuses or fails to~~  
4 ~~cooperate in obtaining federal aid assistance, without good cause, is~~  
5 ~~not eligible for general assistance;~~

6       ~~(ii) Meet one of the following conditions:~~

7       ~~(A) Pregnant: PROVIDED, That need is based on the current income~~  
8 ~~and resource requirements of the federal temporary assistance for needy~~  
9 ~~families program; or~~

10       ~~(B) Subject to chapter 165, Laws of 1992, incapacitated from~~  
11 ~~gainful employment by reason of bodily or mental infirmity that will~~  
12 ~~likely continue for a minimum of ninety days as determined by the~~  
13 ~~department.~~

14       ~~(C) Persons who are unemployable due to alcohol or drug addiction~~  
15 ~~are not eligible for general assistance. Persons receiving general~~  
16 ~~assistance on July 26, 1987, or becoming eligible for such assistance~~  
17 ~~thereafter, due to an alcohol or drug-related incapacity, shall be~~  
18 ~~referred to appropriate assessment, treatment, shelter, or supplemental~~  
19 ~~security income referral services as authorized under chapter 74.50~~  
20 ~~RCW. Referrals shall be made at the time of application or at the time~~  
21 ~~of eligibility review. Alcoholic and drug addicted clients who are~~  
22 ~~receiving general assistance on July 26, 1987, may remain on general~~  
23 ~~assistance if they otherwise retain their eligibility until they are~~  
24 ~~assessed for services under chapter 74.50 RCW. Subsection~~  
25 ~~(6)(a)(ii)(B) of this section shall not be construed to prohibit the~~  
26 ~~department from granting general assistance benefits to alcoholics and~~  
27 ~~drug addicts who are incapacitated due to other physical or mental~~  
28 ~~conditions that meet the eligibility criteria for the general~~  
29 ~~assistance program;~~

30       ~~(iii) Are citizens or aliens lawfully admitted for permanent~~  
31 ~~residence or otherwise residing in the United States under color of~~  
32 ~~law; and~~

33       ~~(iv) Have furnished the department their social security account~~  
34 ~~number. If the social security account number cannot be furnished~~  
35 ~~because it has not been issued or is not known, an application for a~~  
36 ~~number shall be made prior to authorization of assistance, and the~~  
37 ~~social security number shall be provided to the department upon~~  
38 ~~receipt.~~

1       ~~(b) Notwithstanding the provisions of subsection (6)(a)(i), (ii),~~  
2 ~~and (c) of this section, general assistance shall be provided to the~~  
3 ~~following recipients of federal aid assistance:~~

4       ~~(i) Recipients of supplemental security income whose need, as~~  
5 ~~defined in this section, is not met by such supplemental security~~  
6 ~~income grant because of separation from a spouse; or~~

7       ~~(ii) To the extent authorized by the legislature in the biennial~~  
8 ~~appropriations act, to recipients of temporary assistance for needy~~  
9 ~~families whose needs are not being met because of a temporary reduction~~  
10 ~~in monthly income below the entitled benefit payment level caused by~~  
11 ~~loss or reduction of wages or unemployment compensation benefits or~~  
12 ~~some other unforeseen circumstances. The amount of general assistance~~  
13 ~~authorized shall not exceed the difference between the entitled benefit~~  
14 ~~payment level and the amount of income actually received.~~

15       ~~(c) General assistance shall be provided only to persons who are~~  
16 ~~not members of assistance units receiving federal aid assistance,~~  
17 ~~except as provided in subsection (6)(a)(ii)(A) and (b) of this section,~~  
18 ~~and will accept available services which can reasonably be expected to~~  
19 ~~enable the person to work or reduce the need for assistance unless~~  
20 ~~there is good cause to refuse. Failure to accept such services shall~~  
21 ~~result in termination until the person agrees to cooperate in accepting~~  
22 ~~such services and subject to the following maximum periods of~~  
23 ~~ineligibility after reapplication:~~

24       ~~(i) First failure: One week;~~

25       ~~(ii) Second failure within six months: One month;~~

26       ~~(iii) Third and subsequent failure within one year: Two months.~~

27       ~~(d) Persons found eligible for general assistance based on~~  
28 ~~incapacity from gainful employment may, if otherwise eligible, receive~~  
29 ~~general assistance pending application for federal supplemental~~  
30 ~~security income benefits. Any general assistance that is subsequently~~  
31 ~~duplicated by the person's receipt of supplemental security income for~~  
32 ~~the same period shall be considered a debt due the state and shall by~~  
33 ~~operation of law be subject to recovery through all available legal~~  
34 ~~remedies.~~

35       ~~(e) The department shall adopt by rule medical criteria for general~~  
36 ~~assistance eligibility to ensure that eligibility decisions are~~  
37 ~~consistent with statutory requirements and are based on clear,~~  
38 ~~objective medical information.~~

1       ~~(f) The process implementing the medical criteria shall involve~~  
2 ~~consideration of opinions of the treating or consulting physicians or~~  
3 ~~health care professionals regarding incapacity, and any eligibility~~  
4 ~~decision which rejects uncontroverted medical opinion must set forth~~  
5 ~~clear and convincing reasons for doing so.~~

6       ~~(g) Recipients of general assistance based upon a finding of~~  
7 ~~incapacity from gainful employment who remain otherwise eligible shall~~  
8 ~~have their benefits discontinued unless the recipient demonstrates no~~  
9 ~~material improvement in their medical or mental condition. The~~  
10 ~~department may discontinue benefits when there was specific error in~~  
11 ~~the prior determination that found the recipient eligible by reason of~~  
12 ~~incapacitation. Recipients of general assistance based upon pregnancy~~  
13 ~~who relinquish their child for adoption, remain otherwise eligible, and~~  
14 ~~are not eligible to receive benefits under the federal temporary~~  
15 ~~assistance for needy families program shall not have their benefits~~  
16 ~~terminated until the end of the month in which the period of six weeks~~  
17 ~~following the birth of the recipient's child falls. Recipients of the~~  
18 ~~federal temporary assistance for needy families program who lose their~~  
19 ~~eligibility solely because of the birth and relinquishment of the~~  
20 ~~qualifying child may receive general assistance through the end of the~~  
21 ~~month in which the period of six weeks following the birth of the child~~  
22 ~~falls.~~

23       ~~(h) No person may be considered an eligible individual for general~~  
24 ~~assistance with respect to any month if during that month the person:~~

25       ~~(i) Is fleeing to avoid prosecution of, or to avoid custody or~~  
26 ~~confinement for conviction of, a felony, or an attempt to commit a~~  
27 ~~felony, under the laws of the state of Washington or the place from~~  
28 ~~which the person flees; or~~

29       ~~(ii) Is violating a condition of probation, community supervision,~~  
30 ~~or parole imposed under federal or state law for a felony or gross~~  
31 ~~misdemeanor conviction.~~

32       ~~(7))~~ (8) "Applicant"--Any person who has made a request, or on  
33 behalf of whom a request has been made, to any county or local office  
34 for assistance.

35       ~~((8))~~ (9) "Recipient"--Any person receiving assistance and in  
36 addition those dependents whose needs are included in the recipient's  
37 assistance.

1 ((+9)) (10) "Standards of assistance"--The level of income  
2 required by an applicant or recipient to maintain a level of living  
3 specified by the department.

4 ((+10)) (11) "Resource"--Any asset, tangible or intangible, owned  
5 by or available to the applicant at the time of application, which can  
6 be applied toward meeting the applicant's need, either directly or by  
7 conversion into money or its equivalent. The department may by rule  
8 designate resources that an applicant may retain and not be ineligible  
9 for public assistance because of such resources. Exempt resources  
10 shall include, but are not limited to:

11 (a) A home that an applicant, recipient, or their dependents is  
12 living in, including the surrounding property;

13 (b) Household furnishings and personal effects;

14 (c) A motor vehicle, other than a motor home, used and useful  
15 having an equity value not to exceed five thousand dollars;

16 (d) A motor vehicle necessary to transport a ~~((physically~~  
17 ~~disabled))~~ household member with a physical disability. This exclusion  
18 is limited to one vehicle per ~~((physically disabled))~~ person with a  
19 physical disability;

20 (e) All other resources, including any excess of values exempted,  
21 not to exceed one thousand dollars or other limit as set by the  
22 department, to be consistent with limitations on resources and  
23 exemptions necessary for federal aid assistance. The department shall  
24 also allow recipients of temporary assistance for needy families to  
25 exempt savings accounts with combined balances of up to an additional  
26 three thousand dollars;

27 (f) Applicants for or recipients of ~~((general assistance))~~  
28 disability lifeline benefits shall have their eligibility based on  
29 resource limitations consistent with the temporary assistance for needy  
30 families program rules adopted by the department; and

31 (g) If an applicant for or recipient of public assistance possesses  
32 property and belongings in excess of the ceiling value, such value  
33 shall be used in determining the need of the applicant or recipient,  
34 except that: (i) The department may exempt resources or income when  
35 the income and resources are determined necessary to the applicant's or  
36 recipient's restoration to independence, to decrease the need for  
37 public assistance, or to aid in rehabilitating the applicant or  
38 recipient or a dependent of the applicant or recipient; and (ii) the

1 department may provide grant assistance for a period not to exceed nine  
2 months from the date the agreement is signed pursuant to this section  
3 to persons who are otherwise ineligible because of excess real property  
4 owned by such persons when they are making a good faith effort to  
5 dispose of that property: PROVIDED, That:

6 (A) The applicant or recipient signs an agreement to repay the  
7 lesser of the amount of aid received or the net proceeds of such sale;

8 (B) If the owner of the excess property ceases to make good faith  
9 efforts to sell the property, the entire amount of assistance may  
10 become an overpayment and a debt due the state and may be recovered  
11 pursuant to RCW 43.20B.630;

12 (C) Applicants and recipients are advised of their right to a fair  
13 hearing and afforded the opportunity to challenge a decision that good  
14 faith efforts to sell have ceased, prior to assessment of an  
15 overpayment under this section; and

16 (D) At the time assistance is authorized, the department files a  
17 lien without a sum certain on the specific property.

18 ~~((+11+))~~ (12) "Income"--(a) All appreciable gains in real or  
19 personal property (cash or kind) or other assets, which are received by  
20 or become available for use and enjoyment by an applicant or recipient  
21 during the month of application or after applying for or receiving  
22 public assistance. The department may by rule and regulation exempt  
23 income received by an applicant for or recipient of public assistance  
24 which can be used by him or her to decrease his or her need for public  
25 assistance or to aid in rehabilitating him or her or his or her  
26 dependents, but such exemption shall not, unless otherwise provided in  
27 this title, exceed the exemptions of resources granted under this  
28 chapter to an applicant for public assistance. In addition, for cash  
29 assistance the department may disregard income pursuant to RCW  
30 74.08A.230 and 74.12.350.

31 (b) If, under applicable federal requirements, the state has the  
32 option of considering property in the form of lump sum compensatory  
33 awards or related settlements received by an applicant or recipient as  
34 income or as a resource, the department shall consider such property to  
35 be a resource.

36 ~~((+12+))~~ (13) "Need"--The difference between the applicant's or  
37 recipient's standards of assistance for himself or herself and the  
38 dependent members of his or her family, as measured by the standards of

1 the department, and value of all nonexempt resources and nonexempt  
2 income received by or available to the applicant or recipient and the  
3 dependent members of his or her family.

4 ~~((+13))~~ (14) For purposes of determining eligibility for public  
5 assistance and participation levels in the cost of medical care, the  
6 department shall exempt restitution payments made to people of Japanese  
7 and Aleut ancestry pursuant to the Civil Liberties Act of 1988 and the  
8 Aleutian and Pribilof Island Restitution Act passed by congress, P.L.  
9 100-383, including all income and resources derived therefrom.

10 ~~((+14))~~ (15) In the construction of words and phrases used in this  
11 title, the singular number shall include the plural, the masculine  
12 gender shall include both the feminine and neuter genders and the  
13 present tense shall include the past and future tenses, unless the  
14 context thereof shall clearly indicate to the contrary.

15 NEW SECTION. **Sec. 5.** A new section is added to chapter 74.04 RCW  
16 to read as follows:

17 REFERRAL TO THE DIVISION OF VOCATIONAL REHABILITATION. (1) The  
18 economic services administration shall work jointly with the division  
19 of vocational rehabilitation to develop an assessment tool that must be  
20 used to determine whether the programs offered by the division of  
21 vocational rehabilitation could assist persons receiving disability  
22 lifeline benefits in returning to the work force. The assessment tool  
23 shall be completed no later than December 1, 2010. The economic  
24 services administration shall begin using the tool no later than  
25 January 1, 2011. No later than December 30, 2011, the department shall  
26 report on the use of the tool and to what extent the programs offered  
27 by the division of vocational rehabilitation have been successful in  
28 returning persons receiving disability lifeline benefits to the work  
29 force.

30 (2) After January 1, 2011, all persons receiving disability  
31 lifeline benefits shall be assessed to determine whether they would  
32 likely benefit from a program offered by the division of vocational  
33 rehabilitation. If the assessment indicates that the person might  
34 benefit, the economic services administration shall make a referral to  
35 the division of vocational rehabilitation. If the person is found  
36 eligible for a program with the division of vocational rehabilitation,  
37 he or she must participate in that program to remain eligible for the

1 monthly stipend and housing voucher or a cash grant. If the person  
2 refuses to participate or does not complete the program, the department  
3 shall terminate the cash stipend and housing voucher or cash grant but  
4 may not terminate medical coverage and food benefits.

5 NEW SECTION. **Sec. 6.** A new section is added to chapter 74.04 RCW  
6 to read as follows:

7 REFERRAL TO THE DEPARTMENT OF VETERANS AFFAIRS. During the  
8 application process for disability lifeline benefits, the department  
9 shall inquire of each applicant whether he or she has ever served in  
10 the United States military service. If the applicant answers in the  
11 affirmative, the department shall confer with a veterans benefit  
12 specialist with the Washington state department of veterans affairs or  
13 a contracted veterans service officer in the community to determine  
14 whether the applicant is eligible for any benefits or programs offered  
15 to veterans by either the state or the federal government.

16 NEW SECTION. **Sec. 7.** A new section is added to chapter 74.04 RCW  
17 to read as follows:

18 EARLY SSI TRANSITION PROJECT. (1) To ensure that persons who are  
19 likely eligible for supplemental security income benefits are  
20 transitioned from disability lifeline benefits to disability lifeline  
21 expedited and the medicaid program, and then to the supplemental  
22 security income program as quickly as practicable, the department shall  
23 implement the early supplemental security income transition project  
24 starting in King, Pierce, and Spokane counties no later than July 1,  
25 2010, and extending statewide no later than October 1, 2011. The  
26 program shall be implemented through performance-based contracts with  
27 managed health care systems providing medical care services under RCW  
28 74.09.035 or other qualified entities. The participants shall have the  
29 following responsibilities and duties under this program:

30 (a) The entities with whom the department contracts to provide the  
31 program shall be responsible for:

32 (i) Systematically screening persons receiving disability lifeline  
33 benefits at the point of eligibility determination or shortly  
34 thereafter to determine if the persons should be referred for medical  
35 or behavioral health evaluations to determine whether they are likely  
36 eligible for supplemental security income;



- 1 (ii) Immediately sharing the results of the disability screening  
2 with the department;
- 3 (iii) Managing disability lifeline incapacity evaluation  
4 examinations to provide timely access to needed medical and behavioral  
5 health evaluations and standardizing health care providers' conduct of  
6 incapacity evaluations. To maximize the timeliness and efficiency of  
7 incapacity evaluation examinations, the department must strongly  
8 consider contracting with a managed health care system with a network  
9 of health care providers that are trained and have agreed to conduct  
10 disability lifeline medical and psychological incapacity and  
11 recertification exams. The department may obtain medical evidence and  
12 other relevant information from sources other than the contracted  
13 entity if such evidence is available at the time of a person's  
14 application for disability lifeline benefits and is sufficient to  
15 support a determination that the person is incapacitated;
- 16 (iv) Maintaining a centralized appointment and clinical data  
17 system; and
- 18 (v) Assisting persons receiving disability lifeline benefits with  
19 obtaining additional medical or behavioral health examinations needed  
20 to meet the disability standard for federal supplemental security  
21 income benefits and with submission of applications for supplemental  
22 security income benefits.
- 23 (b) The department shall be responsible for:
- 24 (i) Determining incapacity and eligibility for disability lifeline  
25 benefits;
- 26 (ii) Making timely determinations that a person receiving  
27 disability lifeline benefits is likely eligible for supplemental  
28 security income based on medical evidence and other relevant  
29 information provided by a contracted entity, and immediately referring  
30 such persons to a contracted entity for services;
- 31 (iii) Developing standardized procedures for sharing data and  
32 information with the contracted entities to ensure timely  
33 identification of clients who have not been transferred to the  
34 disability lifeline expedited program within four months of their date  
35 of application, but who may, upon further review, be appropriately  
36 transferred to that program;
- 37 (iv) Providing case management, in partnership with the managed

1 health care system or contracted entity, to support persons' transition  
2 to federal supplemental security income and medicaid benefits; and

3 (v) Identifying a savings determination methodology, in  
4 consultation with the contracted entities, the office of financial  
5 management, and the legislature, on or before implementation of the  
6 project.

7 (2) Early supplemental security income transition project contracts  
8 shall include the following performance goals:

9 (a) Persons receiving disability lifeline benefits should be  
10 screened within thirty days of entering the program to determine the  
11 propriety of their transfer to the disability lifeline expedited  
12 program; and

13 (b) Seventy-five percent of persons receiving disability lifeline  
14 benefits that appear likely to qualify for supplemental security income  
15 benefits shall be transferred to the disability lifeline expedited  
16 program within four months of their application for disability lifeline  
17 benefits.

18 (3) The initial focus of the efforts of the early supplemental  
19 security income transition project shall be on persons who have been  
20 receiving disability lifeline or general assistance unemployable  
21 benefits for twelve or more months as of September 1, 2010.

22 (4) No later than December 1, 2011, the department shall report to  
23 the governor and appropriate policy and fiscal committees on whether  
24 the early supplemental security income transition project performance  
25 goals in subsection (2) of this section were met, including the reasons  
26 those goals were or were not met.

27 (5) Pursuant to RCW 41.06.142(3), performance-based contracting  
28 under this section is expressly mandated by the legislature and is not  
29 subject to the processes set forth in RCW 41.06.142 (1), (4), and (5).

30 The statewide expansion of the program under this section shall be  
31 considered expressly mandated by the legislature and not be subject to  
32 the provisions of RCW 41.06.142 (1), (4), and (5).

33 NEW SECTION. **Sec. 8.** A new section is added to chapter 43.330 RCW  
34 to read as follows:

35 **DISABILITY LIFELINE HOUSING VOUCHER PROGRAM.** (1) To address the  
36 housing issues faced by the disability lifeline applicants in RCW  
37 74.04.005(5)(b), the department of commerce and the department of

1 social and health services shall jointly develop a housing voucher  
2 program. The departments also shall develop housing resources to be  
3 used by the applicants in RCW 74.04.005(5)(b). To the greatest extent  
4 possible, the housing resources shall follow the supportive housing  
5 model. The department of commerce shall administer the housing voucher  
6 program and shall:

7 (a) Identify the current supply of private and public housing  
8 including acquisition and rental of existing housing stock;

9 (b) Develop funding strategies for the development of housing  
10 resources; and

11 (c) Design the voucher program to maximize the ability of the  
12 department of social and health services to recover federal funding.

13 (2) If the department of commerce determines that the housing  
14 supply is inadequate to meet the need for those applicants qualifying  
15 for housing vouchers under RCW 74.04.005(5)(b), those applicants shall  
16 instead receive a cash grant administered by the department of social  
17 and health services. Upon the department of commerce's determination  
18 that the housing supply is adequate to meet the needs of the applicants  
19 in RCW 74.04.005(5)(b), housing vouchers rather than cash grants shall  
20 be issued to these applicants who apply on or after the department's  
21 determination.

22 (3) The department of commerce and the department of social and  
23 health services shall evaluate the impact of the use of housing  
24 vouchers under this section and report to the governor and relevant  
25 policy and fiscal committees of the legislature by November 30, 2012,  
26 on the following items:

27 (a) The supply, affordability, appropriateness, and use of stable  
28 housing;

29 (b) The following outcomes for persons receiving disability  
30 lifeline housing vouchers:

31 (i) Participation in and completion of chemical dependency or  
32 mental health treatment;

33 (ii) Contact with law enforcement, including arrest and conviction  
34 data;

35 (iii) Use of emergency room services; and

36 (iv) Involuntary commitment under chapter 71.05 RCW.



- 1 (b) The number of persons who become employed;
- 2 (c) The rate at which the affected persons use hospital emergency  
3 room services;
- 4 (d) The number of persons involuntarily committed under chapter  
5 71.05 RCW;
- 6 (e) The number of persons arrested or convicted of criminal  
7 offenses; and
- 8 (f) The mortality rate of the affected persons; and
- 9 (2) Reports as to whether the case review standards and early  
10 supplemental security income transition project performance goals in  
11 RCW 74.04.005(5) have been met by the department.

12 **Sec. 12.** RCW 10.101.010 and 1998 c 79 s 2 are each amended to read  
13 as follows:

14 The following definitions shall be applied in connection with this  
15 chapter:

16 (1) "Indigent" means a person who, at any stage of a court  
17 proceeding, is:

18 (a) Receiving one of the following types of public assistance:  
19 Temporary assistance for needy families, (~~general assistance~~)  
20 disability lifeline benefits, poverty-related veterans' benefits, food  
21 stamps or food stamp benefits transferred electronically, refugee  
22 resettlement benefits, medicaid, or supplemental security income; or

23 (b) Involuntarily committed to a public mental health facility; or

24 (c) Receiving an annual income, after taxes, of one hundred twenty-  
25 five percent or less of the current federally established poverty  
26 level; or

27 (d) Unable to pay the anticipated cost of counsel for the matter  
28 before the court because his or her available funds are insufficient to  
29 pay any amount for the retention of counsel.

30 (2) "Indigent and able to contribute" means a person who, at any  
31 stage of a court proceeding, is unable to pay the anticipated cost of  
32 counsel for the matter before the court because his or her available  
33 funds are less than the anticipated cost of counsel but sufficient for  
34 the person to pay a portion of that cost.

35 (3) "Anticipated cost of counsel" means the cost of retaining  
36 private counsel for representation on the matter before the court.

1 (4) "Available funds" means liquid assets and disposable net  
2 monthly income calculated after provision is made for bail obligations.  
3 For the purpose of determining available funds, the following  
4 definitions shall apply:

5 (a) "Liquid assets" means cash, savings accounts, bank accounts,  
6 stocks, bonds, certificates of deposit, equity in real estate, and  
7 equity in motor vehicles. A motor vehicle necessary to maintain  
8 employment and having a market value not greater than three thousand  
9 dollars shall not be considered a liquid asset.

10 (b) "Income" means salary, wages, interest, dividends, and other  
11 earnings which are reportable for federal income tax purposes, and cash  
12 payments such as reimbursements received from pensions, annuities,  
13 social security, and public assistance programs. It includes any  
14 contribution received from any family member or other person who is  
15 domiciled in the same residence as the defendant and who is helping to  
16 defray the defendant's basic living costs.

17 (c) "Disposable net monthly income" means the income remaining each  
18 month after deducting federal, state, or local income taxes, social  
19 security taxes, contributory retirement, union dues, and basic living  
20 costs.

21 (d) "Basic living costs" means the average monthly amount spent by  
22 the defendant for reasonable payments toward living costs, such as  
23 shelter, food, utilities, health care, transportation, clothing, loan  
24 payments, support payments, and court-imposed obligations.

25 **Sec. 13.** RCW 13.34.030 and 2009 c 520 s 21 and 2009 c 397 s 1 are  
26 each reenacted and amended to read as follows:

27 For purposes of this chapter:

28 (1) "Abandoned" means when the child's parent, guardian, or other  
29 custodian has expressed, either by statement or conduct, an intent to  
30 forego, for an extended period, parental rights or responsibilities  
31 despite an ability to exercise such rights and responsibilities. If  
32 the court finds that the petitioner has exercised due diligence in  
33 attempting to locate the parent, no contact between the child and the  
34 child's parent, guardian, or other custodian for a period of three  
35 months creates a rebuttable presumption of abandonment, even if there  
36 is no expressed intent to abandon.

1 (2) "Child" and "juvenile" means any individual under the age of  
2 eighteen years.

3 (3) "Current placement episode" means the period of time that  
4 begins with the most recent date that the child was removed from the  
5 home of the parent, guardian, or legal custodian for purposes of  
6 placement in out-of-home care and continues until: (a) The child  
7 returns home; (b) an adoption decree, a permanent custody order, or  
8 guardianship order is entered; or (c) the dependency is dismissed,  
9 whichever occurs first.

10 (4) "Department" means the department of social and health  
11 services.

12 (5) "Dependency guardian" means the person, nonprofit corporation,  
13 or Indian tribe appointed by the court pursuant to this chapter for the  
14 limited purpose of assisting the court in the supervision of the  
15 dependency.

16 (6) "Dependent child" means any child who:

17 (a) Has been abandoned;

18 (b) Is abused or neglected as defined in chapter 26.44 RCW by a  
19 person legally responsible for the care of the child; or

20 (c) Has no parent, guardian, or custodian capable of adequately  
21 caring for the child, such that the child is in circumstances which  
22 constitute a danger of substantial damage to the child's psychological  
23 or physical development.

24 (7) "Developmental disability" means a disability attributable to  
25 mental retardation, cerebral palsy, epilepsy, autism, or another  
26 neurological or other condition of an individual found by the secretary  
27 to be closely related to mental retardation or to require treatment  
28 similar to that required for individuals with mental retardation, which  
29 disability originates before the individual attains age eighteen, which  
30 has continued or can be expected to continue indefinitely, and which  
31 constitutes a substantial handicap to the individual.

32 (8) "Guardian" means the person or agency that: (a) Has been  
33 appointed as the guardian of a child in a legal proceeding other than  
34 a proceeding under this chapter; and (b) has the legal right to custody  
35 of the child pursuant to such appointment. The term "guardian" shall  
36 not include a "dependency guardian" appointed pursuant to a proceeding  
37 under this chapter.

1 (9) "Guardian ad litem" means a person, appointed by the court to  
2 represent the best interests of a child in a proceeding under this  
3 chapter, or in any matter which may be consolidated with a proceeding  
4 under this chapter. A "court-appointed special advocate" appointed by  
5 the court to be the guardian ad litem for the child, or to perform  
6 substantially the same duties and functions as a guardian ad litem,  
7 shall be deemed to be guardian ad litem for all purposes and uses of  
8 this chapter.

9 (10) "Guardian ad litem program" means a court-authorized volunteer  
10 program, which is or may be established by the superior court of the  
11 county in which such proceeding is filed, to manage all aspects of  
12 volunteer guardian ad litem representation for children alleged or  
13 found to be dependent. Such management shall include but is not  
14 limited to: Recruitment, screening, training, supervision, assignment,  
15 and discharge of volunteers.

16 (11) "Housing assistance" means appropriate referrals by the  
17 department or other supervising agencies to federal, state, local, or  
18 private agencies or organizations, assistance with forms, applications,  
19 or financial subsidies or other monetary assistance for housing. For  
20 purposes of this chapter, "housing assistance" is not a remedial  
21 service or time-limited family reunification service as described in  
22 RCW 13.34.025(2).

23 (12) "Indigent" means a person who, at any stage of a court  
24 proceeding, is:

25 (a) Receiving one of the following types of public assistance:  
26 Temporary assistance for needy families, (~~general assistance~~)  
27 disability lifeline benefits, poverty-related veterans' benefits, food  
28 stamps or food stamp benefits transferred electronically, refugee  
29 resettlement benefits, medicaid, or supplemental security income; or

30 (b) Involuntarily committed to a public mental health facility; or

31 (c) Receiving an annual income, after taxes, of one hundred twenty-  
32 five percent or less of the federally established poverty level; or

33 (d) Unable to pay the anticipated cost of counsel for the matter  
34 before the court because his or her available funds are insufficient to  
35 pay any amount for the retention of counsel.

36 (13) "Out-of-home care" means placement in a foster family home or  
37 group care facility licensed pursuant to chapter 74.15 RCW or placement



1 in a home, other than that of the child's parent, guardian, or legal  
2 custodian, not required to be licensed pursuant to chapter 74.15 RCW.

3 (14) "Preventive services" means preservation services, as defined  
4 in chapter 74.14C RCW, and other reasonably available services,  
5 including housing assistance, capable of preventing the need for out-  
6 of-home placement while protecting the child.

7 (15) "Shelter care" means temporary physical care in a facility  
8 licensed pursuant to RCW 74.15.030 or in a home not required to be  
9 licensed pursuant to RCW 74.15.030.

10 (16) "Sibling" means a child's birth brother, birth sister,  
11 adoptive brother, adoptive sister, half-brother, or half-sister, or as  
12 defined by the law or custom of the Indian child's tribe for an Indian  
13 child as defined in 25 U.S.C. Sec. 1903(4).

14 (17) "Social study" means a written evaluation of matters relevant  
15 to the disposition of the case and shall contain the following  
16 information:

17 (a) A statement of the specific harm or harms to the child that  
18 intervention is designed to alleviate;

19 (b) A description of the specific services and activities, for both  
20 the parents and child, that are needed in order to prevent serious harm  
21 to the child; the reasons why such services and activities are likely  
22 to be useful; the availability of any proposed services; and the  
23 agency's overall plan for ensuring that the services will be delivered.  
24 The description shall identify the services chosen and approved by the  
25 parent;

26 (c) If removal is recommended, a full description of the reasons  
27 why the child cannot be protected adequately in the home, including a  
28 description of any previous efforts to work with the parents and the  
29 child in the home; the in-home treatment programs that have been  
30 considered and rejected; the preventive services, including housing  
31 assistance, that have been offered or provided and have failed to  
32 prevent the need for out-of-home placement, unless the health, safety,  
33 and welfare of the child cannot be protected adequately in the home;  
34 and the parents' attitude toward placement of the child;

35 (d) A statement of the likely harms the child will suffer as a  
36 result of removal;

37 (e) A description of the steps that will be taken to minimize the  
38 harm to the child that may result if separation occurs including an

1 assessment of the child's relationship and emotional bond with any  
2 siblings, and the agency's plan to provide ongoing contact between the  
3 child and the child's siblings if appropriate; and

4 (f) Behavior that will be expected before determination that  
5 supervision of the family or placement is no longer necessary.

6 (18) "Supervising agency" means an agency licensed by the state  
7 under RCW 74.15.090 or an Indian tribe under RCW 74.15.190 with whom  
8 the department has entered into a performance-based contract to provide  
9 child welfare services as defined in RCW 74.13.020.

10 **Sec. 14.** RCW 26.19.071 and 2009 c 84 s 3 are each amended to read  
11 as follows:

12 (1) **Consideration of all income.** All income and resources of each  
13 parent's household shall be disclosed and considered by the court when  
14 the court determines the child support obligation of each parent. Only  
15 the income of the parents of the children whose support is at issue  
16 shall be calculated for purposes of calculating the basic support  
17 obligation. Income and resources of any other person shall not be  
18 included in calculating the basic support obligation.

19 (2) **Verification of income.** Tax returns for the preceding two  
20 years and current paystubs shall be provided to verify income and  
21 deductions. Other sufficient verification shall be required for income  
22 and deductions which do not appear on tax returns or paystubs.

23 (3) **Income sources included in gross monthly income.** Except as  
24 specifically excluded in subsection (4) of this section, monthly gross  
25 income shall include income from any source, including:

26 (a) Salaries;

27 (b) Wages;

28 (c) Commissions;

29 (d) Deferred compensation;

30 (e) Overtime, except as excluded for income in subsection (4)(h) of  
31 this section;

32 (f) Contract-related benefits;

33 (g) Income from second jobs, except as excluded for income in  
34 subsection (4)(h) of this section;

35 (h) Dividends;

36 (i) Interest;

37 (j) Trust income;

- 1 (k) Severance pay;
- 2 (l) Annuities;
- 3 (m) Capital gains;
- 4 (n) Pension retirement benefits;
- 5 (o) Workers' compensation;
- 6 (p) Unemployment benefits;
- 7 (q) Maintenance actually received;
- 8 (r) Bonuses;
- 9 (s) Social security benefits;
- 10 (t) Disability insurance benefits; and
- 11 (u) Income from self-employment, rent, royalties, contracts,
- 12 proprietorship of a business, or joint ownership of a partnership or
- 13 closely held corporation.

14 (4) **Income sources excluded from gross monthly income.** The  
15 following income and resources shall be disclosed but shall not be  
16 included in gross income:

- 17 (a) Income of a new spouse or new domestic partner or income of
- 18 other adults in the household;
- 19 (b) Child support received from other relationships;
- 20 (c) Gifts and prizes;
- 21 (d) Temporary assistance for needy families;
- 22 (e) Supplemental security income;
- 23 (f) (~~General assistance~~) Disability lifeline benefits;
- 24 (g) Food stamps; and
- 25 (h) Overtime or income from second jobs beyond forty hours per week
- 26 averaged over a twelve-month period worked to provide for a current
- 27 family's needs, to retire past relationship debts, or to retire child
- 28 support debt, when the court finds the income will cease when the party
- 29 has paid off his or her debts.

30 Receipt of income and resources from temporary assistance for needy  
31 families, supplemental security income, (~~general assistance~~)  
32 disability lifeline benefits, and food stamps shall not be a reason to  
33 deviate from the standard calculation.

34 (5) **Determination of net income.** The following expenses shall be  
35 disclosed and deducted from gross monthly income to calculate net  
36 monthly income:

- 37 (a) Federal and state income taxes;
- 38 (b) Federal insurance contributions act deductions;

1 (c) Mandatory pension plan payments;

2 (d) Mandatory union or professional dues;

3 (e) State industrial insurance premiums;

4 (f) Court-ordered maintenance to the extent actually paid;

5 (g) Up to five thousand dollars per year in voluntary retirement  
6 contributions actually made if the contributions show a pattern of  
7 contributions during the one-year period preceding the action  
8 establishing the child support order unless there is a determination  
9 that the contributions were made for the purpose of reducing child  
10 support; and

11 (h) Normal business expenses and self-employment taxes for self-  
12 employed persons. Justification shall be required for any business  
13 expense deduction about which there is disagreement.

14 Items deducted from gross income under this subsection shall not be  
15 a reason to deviate from the standard calculation.

16 (6) **Imputation of income.** The court shall impute income to a  
17 parent when the parent is voluntarily unemployed or voluntarily  
18 underemployed. The court shall determine whether the parent is  
19 voluntarily underemployed or voluntarily unemployed based upon that  
20 parent's work history, education, health, and age, or any other  
21 relevant factors. A court shall not impute income to a parent who is  
22 gainfully employed on a full-time basis, unless the court finds that  
23 the parent is voluntarily underemployed and finds that the parent is  
24 purposely underemployed to reduce the parent's child support  
25 obligation. Income shall not be imputed for an unemployable parent.  
26 Income shall not be imputed to a parent to the extent the parent is  
27 unemployed or significantly underemployed due to the parent's efforts  
28 to comply with court-ordered reunification efforts under chapter 13.34  
29 RCW or under a voluntary placement agreement with an agency supervising  
30 the child. In the absence of records of a parent's actual earnings,  
31 the court shall impute a parent's income in the following order of  
32 priority:

33 (a) Full-time earnings at the current rate of pay;

34 (b) Full-time earnings at the historical rate of pay based on  
35 reliable information, such as employment security department data;

36 (c) Full-time earnings at a past rate of pay where information is  
37 incomplete or sporadic;

1 (d) Full-time earnings at minimum wage in the jurisdiction where  
2 the parent resides if the parent has a recent history of minimum wage  
3 earnings, is recently coming off public assistance, (~~general~~  
4 ~~assistance-unemployable~~) disability lifeline benefits, supplemental  
5 security income, or disability, has recently been released from  
6 incarceration, or is a high school student;

7 (e) Median net monthly income of year-round full-time workers as  
8 derived from the United States bureau of census, current population  
9 reports, or such replacement report as published by the bureau of  
10 census.

11 **Sec. 15.** RCW 31.04.540 and 2009 c 149 s 8 are each amended to read  
12 as follows:

13 (1) To the extent that implementation of this section does not  
14 conflict with federal law resulting in the loss of federal funding,  
15 proprietary reverse mortgage loan advances made to a borrower must be  
16 treated as proceeds from a loan and not as income for the purpose of  
17 determining eligibility and benefits under means-tested programs of aid  
18 to individuals.

19 (2) Undisbursed reverse mortgage funds must be treated as equity in  
20 the borrower's home and not as proceeds from a loan, resources, or  
21 assets for the purpose of determining eligibility and benefits under  
22 means-tested programs of aid to individuals.

23 (3) This section applies to any law or program relating to  
24 payments, allowances, benefits, or services provided on a means-tested  
25 basis by this state including, but not limited to, optional state  
26 supplements to the federal supplemental security income program, low-  
27 income energy assistance, property tax relief, (~~general-assistance~~)  
28 disability lifeline benefits, and medical assistance only to the extent  
29 this section does not conflict with Title 19 of the federal social  
30 security act.

31 **Sec. 16.** RCW 70.123.110 and 1997 c 59 s 9 are each amended to read  
32 as follows:

33 (~~General-assistance~~) Disability lifeline benefits or temporary  
34 assistance for needy families payments shall be made to otherwise  
35 eligible individuals who are residing in a secure shelter, a housing  
36 network or other shelter facility which provides shelter services to

1 persons who are victims of domestic violence. Provisions shall be made  
2 by the department for the confidentiality of the shelter addresses  
3 where victims are residing.

4 **Sec. 17.** RCW 73.08.005 and 2009 c 35 s 1 are each amended to read  
5 as follows:

6 The definitions in this section apply throughout this chapter  
7 unless the context clearly requires otherwise.

8 (1) "Direct costs" includes those allowable costs that can be  
9 readily assigned to the statutory objectives of this chapter,  
10 consistent with the cost principles promulgated by the federal office  
11 of management and budget in circular No. A-87, dated May 10, 2004.

12 (2) "Family" means the spouse or domestic partner, surviving  
13 spouse, surviving domestic partner, and dependent children of a living  
14 or deceased veteran.

15 (3) "Indigent" means a person who is defined as such by the county  
16 legislative authority using one or more of the following definitions:

17 (a) Receiving one of the following types of public assistance:  
18 Temporary assistance for needy families, (~~general assistance~~)  
19 disability lifeline benefits, poverty-related veterans' benefits, food  
20 stamps or food stamp benefits transferred electronically, refugee  
21 resettlement benefits, medicaid, or supplemental security income;

22 (b) Receiving an annual income, after taxes, of up to one hundred  
23 fifty percent or less of the current federally established poverty  
24 level, or receiving an annual income not exceeding a higher qualifying  
25 income established by the county legislative authority; or

26 (c) Unable to pay reasonable costs for shelter, food, utilities,  
27 and transportation because his or her available funds are insufficient.

28 (4) "Indirect costs" includes those allowable costs that are  
29 generally associated with carrying out the statutory objectives of this  
30 chapter, but the identification and tracking of those costs cannot be  
31 readily assigned to a specific statutory objective without an  
32 accounting effort that is disproportionate to the benefit received. A  
33 county legislative authority may allocate allowable indirect costs to  
34 its veterans' assistance fund if it is accomplished in a manner  
35 consistent with the cost principles promulgated by the federal office  
36 of management and budget in circular No. A-87, dated May 10, 2004.

1 (5) "Veteran" has the same meaning as defined in RCW 41.04.005 and  
2 41.04.007, and includes a current member of the national guard or armed  
3 forces reserves who has been deployed to serve in an armed conflict.

4 (6) "Veterans' advisory board" means a board established by a  
5 county legislative authority under the authority of RCW 73.08.035.

6 (7) "Veterans' assistance fund" means an account in the custody of  
7 the county auditor, or the chief financial officer in a county  
8 operating under a charter, that is funded by taxes levied under the  
9 authority of RCW 73.08.080.

10 (8) "Veterans' assistance program" means a program approved by the  
11 county legislative authority under the authority of RCW 73.08.010 that  
12 is fully or partially funded by the veterans' assistance fund  
13 authorized by RCW 73.08.080.

14 **Sec. 18.** RCW 74.04.0052 and 1997 c 58 s 502 are each amended to  
15 read as follows:

16 (1) The department shall determine, after consideration of all  
17 relevant factors and in consultation with the applicant, the most  
18 appropriate living situation for applicants under eighteen years of  
19 age, unmarried, and pregnant who are eligible for (~~general assistance~~  
20 ~~as defined in RCW 74.04.005(6)(a)(ii)(A))~~ disability lifeline  
21 benefits. An appropriate living situation shall include a place of  
22 residence that is maintained by the applicant's parents, parent, legal  
23 guardian, or other adult relative as their or his or her own home and  
24 that the department finds would provide an appropriate supportive  
25 living arrangement. It also includes a living situation maintained by  
26 an agency that is licensed under chapter 74.15 RCW that the department  
27 finds would provide an appropriate supportive living arrangement.  
28 Grant assistance shall not be provided under this chapter if the  
29 applicant does not reside in the most appropriate living situation, as  
30 determined by the department.

31 (2) A pregnant minor residing in the most appropriate living  
32 situation, as provided under subsection (1) of this section, is  
33 presumed to be unable to manage adequately the funds paid to the minor  
34 or on behalf of the dependent child or children and, unless the minor  
35 provides sufficient evidence to rebut the presumption, shall be subject  
36 to the protective payee requirements provided for under RCW 74.12.250  
37 and 74.08.280.

1 (3) The department shall consider any statements or opinions by  
2 either parent of the unmarried minor parent or pregnant minor applicant  
3 as to an appropriate living situation for the minor, whether in the  
4 parental home or other situation. If the parents or a parent of the  
5 minor request, they or he or she shall be entitled to a hearing in  
6 juvenile court regarding designation of the parental home or other  
7 relative placement as the most appropriate living situation for the  
8 pregnant or parenting minor.

9 The department shall provide the parents or parent with the  
10 opportunity to make a showing that the parental home, or home of the  
11 other relative placement, is the most appropriate living situation. It  
12 shall be presumed in any administrative or judicial proceeding  
13 conducted under this subsection that the parental home or other  
14 relative placement requested by the parents or parent is the most  
15 appropriate living situation. This presumption is rebuttable.

16 (4) In cases in which the minor is unmarried and unemployed, the  
17 department shall, as part of the determination of the appropriate  
18 living situation, provide information about adoption including referral  
19 to community-based organizations providing counseling.

20 (5) For the purposes of this section, "most appropriate living  
21 situation" shall not include a living situation including an adult male  
22 who fathered the qualifying child and is found to meet the elements of  
23 rape of a child as set forth in RCW 9A.44.079.

24 **Sec. 19.** RCW 74.04.120 and 1979 c 141 s 301 are each amended to  
25 read as follows:

26 Allocations of state and federal funds shall be made upon the basis  
27 of need within the respective counties as disclosed by the quarterly  
28 budgets, considered in conjunction with revenues available for the  
29 satisfaction of that need: PROVIDED, That in preparing his quarterly  
30 budget for federal aid assistance, the administrator shall include the  
31 aggregate of the individual case load approved by the department to  
32 date on the basis of need and the secretary shall approve and allocate  
33 an amount sufficient to service the aggregate case load as included in  
34 said budget, and in the event any portion of the budgeted case load  
35 cannot be serviced with moneys available for the particular category  
36 for which an application is made the committee may on the  
37 administrator's request authorize the transfer of sufficient (~~general~~



1 ~~assistance))~~ disability lifeline program funds to the appropriation for  
2 such category to service such case load and secure the benefit of  
3 federal matching funds.

4 **Sec. 20.** RCW 74.04.230 and 1982 c 204 s 16 are each amended to  
5 read as follows:

6 Persons eligible for (~~general assistance under RCW 74.04.005~~)  
7 disability lifeline benefits are eligible for mental health services to  
8 the extent that they meet the client definitions and priorities  
9 established by chapter 71.24 RCW.

10 **Sec. 21.** RCW 74.04.266 and 1977 ex.s. c 215 s 1 are each amended  
11 to read as follows:

12 In determining need for (~~general assistance for unemployable~~  
13 ~~persons as defined in RCW 74.04.005(6)(a))~~) disability lifeline  
14 benefits, the department may by rule and regulation establish a monthly  
15 earned income exemption in an amount not to exceed the exemption  
16 allowable under disability programs authorized in Title XVI of the  
17 federal social security act.

18 **Sec. 22.** RCW 74.04.620 and 1983 1st ex.s. c 41 s 37 are each  
19 amended to read as follows:

20 (1) The department is authorized to establish a program of state  
21 supplementation to the national program of supplemental security income  
22 consistent with Public Law 92-603 and Public Law 93-66 to those persons  
23 who are in need thereof in accordance with eligibility requirements  
24 established by the department.

25 (2) The department is authorized to establish reasonable standards  
26 of assistance and resource and income exemptions specifically for such  
27 program of state supplementation which shall be consistent with the  
28 provisions of the Social Security Act.

29 (3) The department is authorized to make payments to applicants for  
30 supplemental security income, pursuant to agreements as provided in  
31 Public Law 93-368, who are otherwise eligible for (~~general~~  
32 ~~assistance))~~ disability lifeline benefits.

33 (4) Any agreement between the department and a supplemental  
34 security income applicant providing for the reimbursement of interim  
35 assistance to the department shall provide, if the applicant has been

1 represented by an attorney, that twenty-five percent of the  
2 reimbursement received shall be withheld by the department and all or  
3 such portion thereof as has been approved as a fee by the United States  
4 department of health and human services shall be released directly to  
5 the applicant's attorney. The secretary may maintain such records as  
6 are deemed appropriate to measure the cost and effectiveness of such  
7 agreements and may make recommendations concerning the continued use of  
8 such agreements to the legislature.

9 **Sec. 23.** RCW 74.04.770 and 1997 c 59 s 11 are each amended to read  
10 as follows:

11 The department shall establish consolidated standards of need each  
12 fiscal year which may vary by geographical areas, program, and family  
13 size, for temporary assistance for needy families, refugee assistance,  
14 supplemental security income, and (~~general assistance~~) disability  
15 lifeline benefits. Standards for temporary assistance for needy  
16 families, refugee assistance, and (~~general assistance~~) disability  
17 lifeline benefits shall be based on studies of actual living costs and  
18 generally recognized inflation indices and shall include reasonable  
19 allowances for shelter, fuel, food, transportation, clothing, household  
20 maintenance and operations, personal maintenance, and necessary  
21 incidentals. The standard of need may take into account the economies  
22 of joint living arrangements, but unless explicitly required by federal  
23 statute, there shall not be proration of any portion of assistance  
24 grants unless the amount of the grant standard is equal to the standard  
25 of need.

26 The department is authorized to establish rateable reductions and  
27 grant maximums consistent with federal law.

28 Payment level will be equal to need or a lesser amount if rateable  
29 reductions or grant maximums are imposed. In no case shall a recipient  
30 of supplemental security income receive a state supplement less than  
31 the minimum required by federal law.

32 The department may establish a separate standard for shelter  
33 provided at no cost.

34 **Sec. 24.** RCW 74.08.043 and 1981 1st ex.s. c 6 s 12 are each  
35 amended to read as follows:

36 In determining the living requirements of otherwise eligible

1 applicants and recipients of supplemental security income and (~~general~~  
2 ~~assistance~~) disability lifeline benefits, the department is authorized  
3 to consider the need for personal and special care and supervision due  
4 to physical and mental conditions.

5 **Sec. 25.** RCW 74.08.278 and 1979 c 141 s 327 are each amended to  
6 read as follows:

7 In order to comply with federal statutes and regulations pertaining  
8 to federal matching funds and to provide for the prompt payment of  
9 initial grants and adjusting payments of grants the secretary is  
10 authorized to make provisions for the cash payment of assistance by the  
11 secretary or county administrators by the establishment of a central  
12 operating fund. The secretary may establish such a fund with the  
13 approval of the state auditor from moneys appropriated to the  
14 department for the payment of (~~general—assistance~~) disability  
15 lifeline benefits in a sum not to exceed one million dollars. Such  
16 funds shall be deposited as agreed upon by the secretary and the state  
17 auditor in accordance with the laws regulating the deposits of public  
18 funds. Such security shall be required of the depository in connection  
19 with the fund as the state treasurer may prescribe. Moneys remaining  
20 in the fund shall be returned to the general fund at the end of the  
21 biennium, or an accounting of proper expenditures from the fund shall  
22 be made to the state auditor. All expenditures from such central  
23 operating fund shall be reimbursed out of and charged to the proper  
24 program appropriated by the use of such forms and vouchers as are  
25 approved by the secretary of the department and the state auditor.  
26 Expenditures from such fund shall be audited by the director of  
27 financial management and the state auditor from time to time and a  
28 report shall be made by the state auditor and the secretary as are  
29 required by law.

30 **Sec. 26.** RCW 74.08.335 and 1997 c 59 s 13 are each amended to read  
31 as follows:

32 Temporary assistance for needy families and (~~general—assistance~~)  
33 disability lifeline benefits shall not be granted to any person who has  
34 made an assignment or transfer of property for the purpose of rendering  
35 himself or herself eligible for the assistance. There is a rebuttable  
36 presumption that a person who has transferred or transfers any real or

1 personal property or any interest in property within two years of the  
2 date of application for the assistance without receiving adequate  
3 monetary consideration therefor, did so for the purpose of rendering  
4 himself or herself eligible for the assistance. Any person who  
5 transfers property for the purpose of rendering himself or herself  
6 eligible for assistance, or any person who after becoming a recipient  
7 transfers any property or any interest in property without the consent  
8 of the secretary, shall be ineligible for assistance for a period of  
9 time during which the reasonable value of the property so transferred  
10 would have been adequate to meet the person's needs under normal  
11 conditions of living: PROVIDED, That the secretary is hereby  
12 authorized to allow exceptions in cases where undue hardship would  
13 result from a denial of assistance.

14 **Sec. 27.** RCW 74.08A.210 and 1997 c 58 s 302 are each amended to  
15 read as follows:

16 (1) In order to prevent some families from developing dependency on  
17 temporary assistance for needy families, the department shall make  
18 available to qualifying applicants a diversion program designed to  
19 provide brief, emergency assistance for families in crisis whose income  
20 and assets would otherwise qualify them for temporary assistance for  
21 needy families.

22 (2) Diversion assistance may include cash or vouchers in payment  
23 for the following needs:

24 (a) Child care;

25 (b) Housing assistance;

26 (c) Transportation-related expenses;

27 (d) Food;

28 (e) Medical costs for the recipient's immediate family;

29 (f) Employment-related expenses which are necessary to keep or  
30 obtain paid unsubsidized employment.

31 (3) Diversion assistance is available once in each twelve-month  
32 period for each adult applicant. Recipients of diversion assistance  
33 are not included in the temporary assistance for needy families  
34 program.

35 (4) Diversion assistance may not exceed one thousand five hundred  
36 dollars for each instance.

1 (5) To be eligible for diversion assistance, a family must  
2 otherwise be eligible for temporary assistance for needy families.

3 (6) Families ineligible for temporary assistance for needy families  
4 or (~~general assistance~~) disability lifeline benefits due to sanction,  
5 noncompliance, the lump sum income rule, or any other reason are not  
6 eligible for diversion assistance.

7 (7) Families must provide evidence showing that a bona fide need  
8 exists according to subsection (2) of this section in order to be  
9 eligible for diversion assistance.

10 An adult applicant may receive diversion assistance of any type no  
11 more than once per twelve-month period. If the recipient of diversion  
12 assistance is placed on the temporary assistance for needy families  
13 program within twelve months of receiving diversion assistance, the  
14 prorated dollar value of the assistance shall be treated as a loan from  
15 the state, and recovered by deduction from the recipient's cash grant.

16 **Sec. 28.** RCW 74.09.010 and 2007 c 3 s 2 are each amended to read  
17 as follows:

18 As used in this chapter:

19 (1) "Children's health program" means the health care services  
20 program provided to children under eighteen years of age and in  
21 households with incomes at or below the federal poverty level as  
22 annually defined by the federal department of health and human services  
23 as adjusted for family size, and who are not otherwise eligible for  
24 medical assistance or the limited casualty program for the medically  
25 needy.

26 (2) "Committee" means the children's health services committee  
27 created in section 3 of this act.

28 (3) "County" means the board of county commissioners, county  
29 council, county executive, or tribal jurisdiction, or its designee. A  
30 combination of two or more county authorities or tribal jurisdictions  
31 may enter into joint agreements to fulfill the requirements of RCW  
32 74.09.415 through 74.09.435.

33 (4) "Department" means the department of social and health  
34 services.

35 (5) "Department of health" means the Washington state department of  
36 health created pursuant to RCW 43.70.020.

1 (6) "Internal management" means the administration of medical  
2 assistance, medical care services, the children's health program, and  
3 the limited casualty program.

4 (7) "Limited casualty program" means the medical care program  
5 provided to medically needy persons as defined under Title XIX of the  
6 federal social security act, and to medically indigent persons who are  
7 without income or resources sufficient to secure necessary medical  
8 services.

9 (8) "Medical assistance" means the federal aid medical care program  
10 provided to categorically needy persons as defined under Title XIX of  
11 the federal social security act.

12 (9) "Medical care services" means the limited scope of care  
13 financed by state funds and provided to (~~general assistance~~)  
14 disability lifeline benefits recipients, and recipients of alcohol and  
15 drug addiction services provided under chapter 74.50 RCW.

16 (10) "Nursing home" means nursing home as defined in RCW 18.51.010.

17 (11) "Poverty" means the federal poverty level determined annually  
18 by the United States department of health and human services, or  
19 successor agency.

20 (12) "Secretary" means the secretary of social and health services.

21 (13) "Full benefit dual eligible beneficiary" means an individual  
22 who, for any month: Has coverage for the month under a medicare  
23 prescription drug plan or medicare advantage plan with part D coverage;  
24 and is determined eligible by the state for full medicaid benefits for  
25 the month under any eligibility category in the state's medicaid plan  
26 or a section 1115 demonstration waiver that provides pharmacy benefits.

27 **Sec. 29.** RCW 74.09.035 and 1987 c 406 s 12 are each amended to  
28 read as follows:

29 (1) To the extent of available funds, medical care services may be  
30 provided to recipients of (~~general assistance~~) disability lifeline  
31 benefits, persons denied disability lifeline benefits under RCW  
32 74.04.005(5)(b) or section 5 of this act who otherwise meet the  
33 requirements of RCW 74.04.005(5)(a), and recipients of alcohol and drug  
34 addiction services provided under chapter 74.50 RCW, in accordance with  
35 medical eligibility requirements established by the department. To the  
36 extent authorized in the operating budget, upon implementation of a  
37 federal medicaid 1115 waiver providing federal matching funds for

1 medical care services, these services also may be provided to persons  
2 who have been terminated from disability lifeline benefits under RCW  
3 74.04.005(5)(h).

4 (2) Determination of the amount, scope, and duration of medical  
5 care services shall be limited to coverage as defined by the  
6 department, except that adult dental, and routine foot care shall not  
7 be included unless there is a specific appropriation for these  
8 services.

9 (3) The department shall enter into performance-based contracts  
10 with one or more managed health care systems for the provision of  
11 medical care services to recipients of disability lifeline benefits.  
12 The contract must provide for integrated delivery of medical and mental  
13 health services.

14 (4) The department shall establish standards of assistance and  
15 resource and income exemptions, which may include deductibles and co-  
16 insurance provisions. In addition, the department may include a  
17 prohibition against the voluntary assignment of property or cash for  
18 the purpose of qualifying for assistance.

19 ((+4)) (5) Residents of skilled nursing homes, intermediate care  
20 facilities, and intermediate care facilities for the mentally retarded,  
21 as that term is described by federal law, who are eligible for medical  
22 care services shall be provided medical services to the same extent as  
23 provided to those persons eligible under the medical assistance  
24 program.

25 ((+5)) (6) Payments made by the department under this program  
26 shall be the limit of expenditures for medical care services solely  
27 from state funds.

28 ((+6)) (7) Eligibility for medical care services shall commence  
29 with the date of certification for ((general assistance)) disability  
30 lifeline benefits or the date of eligibility for alcohol and drug  
31 addiction services provided under chapter 74.50 RCW.

32 **Sec. 30.** RCW 74.09.555 and 2005 c 503 s 12 are each amended to  
33 read as follows:

34 (1) The department shall adopt rules and policies providing that  
35 when persons with a mental disorder, who were enrolled in medical  
36 assistance immediately prior to confinement, are released from  
37 confinement, their medical assistance coverage will be fully reinstated

1 on the day of their release, subject to any expedited review of their  
2 continued eligibility for medical assistance coverage that is required  
3 under federal or state law.

4 (2) The department, in collaboration with the Washington  
5 association of sheriffs and police chiefs, the department of  
6 corrections, and the regional support networks, shall establish  
7 procedures for coordination between department field offices,  
8 institutions for mental disease, and correctional institutions, as  
9 defined in RCW 9.94.049, that result in prompt reinstatement of  
10 eligibility and speedy eligibility determinations for persons who are  
11 likely to be eligible for medical assistance services upon release from  
12 confinement. Procedures developed under this subsection must address:

13 (a) Mechanisms for receiving medical assistance services  
14 applications on behalf of confined persons in anticipation of their  
15 release from confinement;

16 (b) Expeditious review of applications filed by or on behalf of  
17 confined persons and, to the extent practicable, completion of the  
18 review before the person is released;

19 (c) Mechanisms for providing medical assistance services identity  
20 cards to persons eligible for medical assistance services immediately  
21 upon their release from confinement; and

22 (d) Coordination with the federal social security administration,  
23 through interagency agreements or otherwise, to expedite processing of  
24 applications for federal supplemental security income or social  
25 security disability benefits, including federal acceptance of  
26 applications on behalf of confined persons.

27 (3) Where medical or psychiatric examinations during a person's  
28 confinement indicate that the person is disabled, the correctional  
29 institution or institution for mental diseases shall provide the  
30 department with that information for purposes of making medical  
31 assistance eligibility and enrollment determinations prior to the  
32 person's release from confinement. The department shall, to the  
33 maximum extent permitted by federal law, use the examination in making  
34 its determination whether the person is disabled and eligible for  
35 medical assistance.

36 (4) For purposes of this section, "confined" or "confinement" means  
37 incarcerated in a correctional institution, as defined in RCW 9.94.049,



1 or admitted to an institute for mental disease, as defined in 42 C.F.R.  
2 part 435, Sec. 1009 on July 24, 2005.

3 (5) For purposes of this section, "likely to be eligible" means  
4 that a person:

5 (a) Was enrolled in medicaid or supplemental security income or  
6 (~~general assistance~~) the disability lifeline program immediately  
7 before he or she was confined and his or her enrollment was terminated  
8 during his or her confinement; or

9 (b) Was enrolled in medicaid or supplemental security income or  
10 (~~general assistance~~) the disability lifeline program at any time  
11 during the five years before his or her confinement, and medical or  
12 psychiatric examinations during the person's confinement indicate that  
13 the person continues to be disabled and the disability is likely to  
14 last at least twelve months following release.

15 (6) The economic services administration shall adopt standardized  
16 statewide screening and application practices and forms designed to  
17 facilitate the application of a confined person who is likely to be  
18 eligible for medicaid.

19 **Sec. 31.** RCW 74.50.060 and 1989 1st ex.s. c 18 s 3 are each  
20 amended to read as follows:

21 (1) The department shall establish a shelter assistance program to  
22 provide, within available funds, shelter for persons eligible under  
23 this chapter. "Shelter," "shelter support," or "shelter assistance"  
24 means a facility under contract to the department providing room and  
25 board in a supervised living arrangement, normally in a group or  
26 dormitory setting, to eligible recipients under this chapter. This may  
27 include supervised domiciliary facilities operated under the auspices  
28 of public or private agencies. No facility under contract to the  
29 department shall allow the consumption of alcoholic beverages on the  
30 premises. The department may contract with counties and cities for  
31 such shelter services. To the extent possible, the department shall  
32 not displace existing emergency shelter beds for use as shelter under  
33 this chapter. In areas of the state in which it is not feasible to  
34 develop shelters, due to low numbers of people needing shelter  
35 services, or in which sufficient numbers of shelter beds are not  
36 available, the department may provide shelter through an intensive

1 protective payee program, unless the department grants an exception on  
2 an individual basis for less intense supervision.

3 (2) Persons continuously eligible for the (~~general assistance~~  
4 ~~unemployable program~~) disability lifeline program since July 25, 1987,  
5 who transfer to the program established by this chapter, have the  
6 option to continue their present living situation, but only through a  
7 protective payee.

8 NEW SECTION. **Sec. 32.** A new section is added to chapter 74.08A  
9 RCW to read as follows:

10 Recipients exempted from active work search activities due to  
11 incapacity or a disability shall receive disability lifeline benefits  
12 as they relate to the facilitation of enrollment in the federal  
13 supplemental security income program, access to chemical dependency  
14 treatment, referrals to vocational rehabilitation, and other services  
15 needed to assist the recipient in becoming employable. Disability  
16 lifeline benefits shall not supplant cash assistance and other services  
17 provided through the temporary assistance for needy families program.  
18 To the greatest extent possible, services shall be funded through the  
19 temporary assistance for needy families appropriations.

20 NEW SECTION. **Sec. 33.** This act shall be known and cited as the  
21 security lifeline act.

22 NEW SECTION. **Sec. 34.** Except for section 10 of this act, this act  
23 is necessary for the immediate preservation of the public peace,  
24 health, or safety, or support of the state government and its existing  
25 public institutions, and takes effect immediately.

26 NEW SECTION. **Sec. 35.** Section 10 of this act takes effect July 1,  
27 2010.

28 NEW SECTION. **Sec. 36.** If private funding sufficient to implement  
29 and operate the portal authorized under section 2 of this act is not  
30 secured by December 31, 2010, section 2 of this act is null and void.

31 NEW SECTION. **Sec. 37.** Sections 1 through 10 and 29 of this act

1 shall be implemented within the amounts appropriated specifically for  
2 these purposes in the omnibus operating appropriations act."

**E2SHB 2782** - S AMD

By Senators Hargrove, Stevens

**ADOPTED 03/22/2010**

3 On page 1, line 1 of the title, after "lifeline act;" strike the  
4 remainder of the title and insert "amending RCW 74.04.005, 10.101.010,  
5 26.19.071, 31.04.540, 70.123.110, 73.08.005, 74.04.0052, 74.04.120,  
6 74.04.230, 74.04.266, 74.04.620, 74.04.770, 74.08.043, 74.08.278,  
7 74.08.335, 74.08A.210, 74.09.010, 74.09.035, 74.09.555, and 74.50.060;  
8 reenacting and amending RCW 13.34.030; adding new sections to chapter  
9 74.04 RCW; adding a new section to chapter 43.330 RCW; adding a new  
10 section to chapter 70.47 RCW; adding a new section to chapter 70.96A  
11 RCW; adding a new section to chapter 74.08A RCW; creating new sections;  
12 providing an effective date; providing an expiration date; and  
13 declaring an emergency."

EFFECT: By July 1, 2012, DSHS must develop a plan for implementing paperless application processes for the services included in the Opportunity Portal. The plan must comply with federal law, and DSHS must provide the plan to the relevant legislative committees by November 15, 2011.

DSHS, ESD, and the State Board for Community and Technical Colleges must work in a partnership to expand the Program. Subject to federal approval, the Program will be expanded to three additional community colleges or other community-based locations in 2010 and will expand capacity of the 12 currently participating colleges.

The General Assistance program is renamed the Disability Lifeline Program.

A person who otherwise meets the eligibility requirements and who has a drug or alcohol addiction but is still incapacitated because of mental or physical infirmity and cannot work, must go to treatment. If that person participates in the treatment program, he or she will receive a cash grant. If the recipient refuses to participate in

treatment or does not complete treatment, then the recipient is ineligible to receive the cash grant but would still be eligible for medical and food benefits, unless good cause is shown.

A person who otherwise meets the eligibility requirements must not refuse or fail without good cause to participate in a vocational rehabilitation services assessment conducted pursuant to this bill which indicates that a person might benefit from such services.

On or after September 2, 2010, a person who otherwise meets the eligibility requirements, is homeless, and has been assessed as needing chemical dependency or mental health treatment or both must agree to accept a housing voucher in lieu of a cash grant if the voucher is available. The department will establish the dollar value of the housing voucher. The dollar value may differ from the value of the cash grant. Persons receiving a housing voucher under this section will also receive a \$50 monthly stipend.

The Department of Commerce must determine whether there is sufficient housing available for this population. If there is insufficient housing available, disability lifeline applicants will receive a cash grant in lieu of a housing voucher until such time as the department determines there is sufficient housing available.

Beginning September 1, 2010, no person currently receiving or becomes eligible to receive disability lifeline benefits will be eligible to receive benefits under this program for more than 24 months in a 5-year period. These time limits expire on June 30, 2013. Months during which the person received benefits under the expedited portion of the disability lifeline or general assistance program or under the aged, blind, or disabled disability lifeline or general assistance portion of the program do not count towards the time limit.

On or before July 1, 2010, for recipients who have been on the program for 20 months and September 1, 2010, for recipients who have been on the program for 12 months, DSHS must conduct a review. The review should determine whether the person meets the federal supplemental security income disability standard and if the person does not meet that standard whether the receipt of additional services would lead to employability. If a need for additional services is identified, DSHS must provide case management services that will assist the person's access to needed services.

The medical criteria to determine incapacity should recognize that the standard for incapacity is not intended to be as stringent as the federal SSI disability standards.

After January 1, 2011, all disability lifeline benefits recipients must be assessed to determine whether they would likely benefit from a program offered by the Division of Vocational Rehabilitation (DVR).

DSHS is to implement the ESTP starting in King, Pierce, and Spokane counties no later than July 1, 2010, and expanding statewide no later than October 1, 2011. The project is to be implemented through performance-based contracts with managed health care systems providing medical care services or other qualified entities. The contracts must contain the following performance goals:

Persons receiving disability lifeline benefits should be screened within 30 days of entering the program to determine the propriety of their transfer to the disability lifeline expedited program; and

75 percent of persons receiving disability lifeline benefits that are likely to qualify for SSI are to be transferred to the expedited program within four months of their application for benefits.

No later than December 1, 2011, DSHS is to report to the Governor and the Legislature on whether the ESTP goals were met.

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